

REMARKS

This paper, which accompanies a Request for Continued Examination, is responsive to an Official Action that was issued May 5, 2006 in this case. In that Action, the Office rejected all pending claims as follows:

- Claims 1-3, 5, 9, 10, 11, 12, and 13 were rejected under 35 USC §102 as being anticipated by U.S. Pat. No. 6,230,460 to Huyett; and
- Claims 4, 6-8, 11, 14-23, and 26-32 were rejected under 35 USC §103 as being obvious over Huyett in view of U.S. Pat. No. 6,895,870 to Bizlewicz.

Responsive to the Action, claims 1, 4, 5, 9, 10, 15, 21, 23, and 26 have been amended. Reconsideration is respectfully requested in view of the foregoing amendments and the following comments.

**Claims 1-14
Are Allowable
Over Huyett**

Amended claim 1 recites an article for use with spherical vibration-control elements, wherein said article comprises, in pertinent part:

<p>a plate having a number, n, of spaced wells arranged in a two-dimensional array, wherein:</p> <p> said two-dimensional array comprises at least two rows of said spaced wells with a minimum of three wells in each row; and</p> <p> said wells are suitably sized so that when a well receives said spherical vibration control element, said vibration control element contacts said plate at substantially every point along a perimeter of said well.</p>

Huyett, which is the primary reference that is cited against the claims, discloses a resilient flooring system. According to Huyett, the flooring system comprises a plurality of laterally spaced "shock absorbers (16)." Each shock absorber (16) includes an elongated sole plate (20) and an elongated top plate (22) having a plurality of spaced-apart sockets (26) and (28), respectively. The sockets are arranged in a one-dimensional array in the sole plate and the top plate. The sockets receive a shock absorber (24), such as a neoprene ball, etc. Each sole plate and top plate is about 8 feet long and 4 inches wide. Each shock absorber (16) is laterally spaced from its neighbor by 16 or 24 inches (*i.e.*, typical joist spacing).

Huyett does not disclose what is recited in claim 1. Namely, Huyett does not disclose that the sockets (*i.e.*, wells) are “*arranged in a two-dimensional array.*”

It is notable that there is no mention in Huyett that a larger sole plate (20) or top plate (22) should or could be used that might be able to accommodate a two-dimensional array of spheres (24). Indeed, there would be no motivation to form such a larger plate, since it would be far more difficult to work with due to its increased weight and unwieldiness.

Indeed, one of the motivations for the flooring system, according to Huyett, is “easy to install.” As a consequence, Huyett effectively teaches away from a two-dimensionally array of spheres such that an “obviousness” rejection based on Huyett would not supportable.

It is asserted, therefore, that claim 1 and claims 2-14 dependent thereon, are allowable over Huyett. The recitation of additional patentable features in claims 2-14 provides a secondary basis for their patentability.

**Claims 4, 6-8, 11, 14-23
And 26-32 Are Allowable
Over the Combination of
Huyett and Bizlewicz**

Independent claims 15, 21, 23, and 26 were rejected over the combination of Huyett and a patent to Bizlewicz. Bizlewicz discloses a rack for audio equipment. The rack (10) comprises three vertical legs that support a plurality of shelves (20).

As shown in FIG. 1, each leg consists of several columns (30). Overlying columns (30) are separated from one another by coupling (42). (See, *e.g.*, FIGs. 1 and 2.) A purpose of coupling (42) is to dissipate vibrational energy, which originates from an audio component and is conducted to its supporting shelf (20), from the shelf (20).

To accomplish this, each coupling (42) includes upper block member (70) and a lower block member (74). Depression (104) the lower surface of upper block member (70) confronts depression (106) in the upper surface of lower block member (74). These two opposed depressions receive ball (110). (See col. 4, lines 41-51; FIG. 5). Vibrations that are transmitted from an audio component to shelf (20) and then to columns (30) cause a relative displacement in the block members (70) and (74). This displacement, which is enabled via ball (110), is said to dissipate the vibrational energy. (See, *e.g.*, col. 4, line 52 – col. 5, line 11.)

Turning now to applicant's claims, depressions (104) or (106) are not disposed in or on a “plate” that has a plurality of depressions or wells. The plates or shelves (20) in Bizlewicz

do not include any depressions; they are flat planar surfaces for receiving audio components, *etc.* Rather, the wells or depressions appear in each coupling (42), which are disposed one above another in the legs of the audio rack. Bizlewicz does not, therefore, teach or suggest a two-dimensional array of wells in a plate.

Since independent claims 15, 21, 23, and 26 have all been amended to recite that the wells are "arranged in a two-dimensional array," and since neither Huyett nor Bizlewicz individually disclose or suggest a two-dimensional array of wells on a plate, it cannot be argued that the combination of these references provides such teaching. As a consequence, it is believed that independent claims 15, 21, 23, and 26 are allowable over the combination of Huyett and Bizlewicz. Based on their dependence on one of the independent claims, dependent claims 16-20 and 27-32 are allowable as well. The recitation of additional patentable features in these claims provides a secondary basis for their patentability.

Conclusion

It is believed that claims 1-23 and 26-32 now presented for examination are allowable over the art of record. A notice to that effect is solicited.

Respectfully,
DeMont & Breyer, LLC

By /Wayne S. Breyer/
Wayne S. Breyer
Reg. No. 38089
Attorney for Applicants
732-578-0103 x12

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